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Message Text

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41
ACTION SS-25

INFO OCT-01 ADP-00 SSO-00 /026 W
---------- 101597
P 151730 Z JUN 73
FM AMEMBASSY SAN JOSE
TO SECSTATE WASHDC PRIORITY 4307
INFO AMCONSUL NASSAU PRIORITY

C O N F I D E N T I A L SAN JOSE 2163

EXDIS

E. O. 11652: GDS
TAGS: PGOV, PFOR, CS
SUBJECT: EXTRADITION: ROBERT VESCO

1. LA REPUBLICA ON JUNE 14 CARRIED AN INTERVIEW WITH A PROMINENT LOCAL ATTORNEY, DR. GUILLERMO PADILLA CASTRO, ON ASPECTS OF THE VESCO CASE. ONE INTERESTING EXCHANGE WAS AS FOLLOWS:

QUESTION: " WHAT WOULD HAPPEN ACCORDING TO THE TREATY AND LAW ON EXTRADITION IF MR. VESCO SHOULD

BE ABSENT FROM COSTA RICA, SO THAT ANY PRONOUNCEMENT BY OUR COURTS ADVERSE TO HIS INTERESTS FAILED TO FIND HIM HERE?"

ANSWER: " IN THAT CASE IF THE MAN WERE NOT WITHIN THE NATIONAL TERRITORY NOTHING WOULD HAPPEN, SINCE EXTRADITION IS LIKE HABEAS CORPUS: IF THE DEFENDANT OR ACCUSED WHO SHOULD BE PRESENTED TO THE COURT IS NOT PRESENT (" NO EXISTE") NOTHING HAPPENS."

2. ODIO DOES NOT BELIEVE THIS OPINION IS SOUND BUT HE IS CONCERNED ABOUT REFUTING IT IN THE ABSENCE OF MANY PRECEDENTS IN COSTA RICA. HE FEARS THAT UPON PRESENTA-TION OF A STATEMENT BY GOCR AUTHORITIES THAT VESCO HAS
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LEFT THE COUNTRY, THE COURT MIGHT BE PERSUADED BY THIS LINE OF ARGUMENT TO REFUSE TO ISSUE A PRELIMINARY WARRANT OF ARREST OR A FINAL EXTRADITION ORDER.

3. ODIO WOULD APPRECIATE RECEIVING A REPORT OF PRACTICE ON THIS POINT IN THE U. S. AND OTHER COUNTRIES UNDER EXTRADITION TREATIES. HE IS REALLY LOOKING FOR SETTLED LEGAL " DOCTRINE" ON THIS POINT IF IT EXISTS.
VAKY

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*** Current Handling Restrictions *** EXDIS
*** Current Classification *** CONFIDENTIAL

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 15 JUN 1973
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973SANJO02163
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: n/a
Film Number: n/a
From: SAN JOSE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730619/aaaajakz.tel
Line Count: 75
Locator: TEXT ON-LINE
Office: ACTION SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 15 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15-Jan-2002 by smithrj>; APPROVED <05-Feb-2002 by golinofr>
Review Markings:

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EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> gwr 980206
Subject: EXTRADITION: ROBERT VESCO
TAGS: PFOR, PGOV, CS, (VESCO, ROBERT)
To: NASSAU
SECSTATE WASHDC
SS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

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